



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION
UNDER 37 C.F.R. §1.137(b)**

APPLICANTS: Yoshimasi Saitoh et al. OLD DOCKET NO.: P99,2475
NEW DOCKET NO: 09792909-4457

SERIAL NO.: 09/496,656 GROUP ART UNIT: 1772

DATE FILED: February 3, 2000 EXAMINER: Sow Fun Hon

INVENTION: "METHOD OF FABRICATING LIQUID CRYSTAL DISPLAY
DEVICE, AND LIQUID CRYSTAL DISPLAY DEVICE"

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear SIR:

Applicants hereby petition to revive this unintentionally abandoned application pursuant to 37 C.F.R. §1.137(b).

The above-identified application became abandoned for failure to timely reply to the Non-Final Office Action of November 5, 2002, which set a three month shortened statutory period for reply. Thus, the date for abandonment of this application is May 6, 2003.

A Notice of Abandonment issued on June 26, 2003 for failure to timely respond to the Non-Final Office Action of November 5, 2002.

Applicants respectfully submit that the application became unintentionally abandoned due to a clerical error made by Applicants' Attorneys' docket clerk, and due to the nature of the error it was not discovered until recently.

This application is the parent application of divisional application serial number 09/961,022. In a letter dated October 15, 2002, Applicants provided instructions to Applicants' Attorneys' law firm to abandon divisional application number 09/961,022. On October 18, 2002, Applicants' Attorneys' docket clerk mistakenly designated both the divisional application and the present application as to be abandoned. Specifically, the docket clerk mistakenly made an entry in the Applicants' Attorneys' computerized docket system that the case was to be abandoned, and physically marked the file as "ABANDONED" in several places on the file folder.

Accordingly, Applicants' Attorneys were under the impression that the present application was designated as to be abandoned since October 18, 2002, and therefore did not respond to the Non-Final Office Action of November 5, 2002.

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On June 20, 2003, the Examiner telephoned the Applicants' Attorneys to inquire about the status of the case. At that time, Applicants' Attorneys notified the Examiner that the present application was to be abandoned per the client's instructions, because Applicants' Attorneys were mistakenly so informed due to the error made by the docket clerk. (*See, Notice of Abandonment of 6/26/2003*).

On June 26, 2003, the Notice of Abandonment issued. At that time, the Applicants' Attorneys still believed that the case was to be abandoned, because of the docket clerk's error, and did not believe that the application needed to be revived. However, Applicants' Attorneys recently noticed the error made by the docket clerk and respectfully request the application to be revived. Due to the nature of the docket clerk's error, the error was not detectable until recently.

In light of the foregoing, the undersigned submits that the application was unintentionally abandoned due to a clerical error and the entire delay in filing the enclosed Amendment "C" was unintentional.

A Form 2038 is enclosed for charging the amount of \$1330.00 to the Applicants' Attorneys' credit card to cover the petition fee under 37 C.F.R. 1.17(m). It is not believed that any additional fees are required, however, the undersigned hereby authorizes any such required fees to be charged to deposit account no. 19-3140.

In light of the foregoing, the undersigned submits that all requirements of 37 C.F.R. §1.137(b) have been satisfied. Favorable consideration of the present petition and revival of the application is hereby requested.

Respectfully submitted,

Christopher P. Rauch (Reg. No. 45,034)
Christopher P. Rauch
SONNENSCHEIN, NATH & ROSENTHAL LLP
P.O. Box #061080
Wacker Drive Station - Sears Tower
Chicago, IL 60606-1080
Telephone 312/876-2606
Customer #26263
Attorneys for Applicant(s)